REMARKS

Applicant will sequentially address the issues raised by the Examiner.

Double Patenting

Claims 1, 15, and 21-22 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 13, and 18-19 of SALAS (U.S. Patent No. 6,314,408). Claims 2-7, 9-14, 16-20, and 23 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 and 20 of SALAS. Applicant will submit a Terminal Disclaimer in compliance with 37 CFR ·§1.321(c) upon an indication of allowance in the application.

Claim 8 stands rejected under 35 U.S.C. §101 as claiming the same invention as claim 1 of SALAS. Applicant has amended independent claim 1 and its dependent claim 8. Applicant respectfully submits that claim 8 defines subject matter that differs in scope from that of claim 1 of SALAS and requests withdrawal of the rejection under 35 U.S.C. §101.

Rejections under 35 U.S.C. §102 and §103

Claims 1-50 stand rejected under 35 U.S.C. §102 and/or §103 in view of seven references cited by the Examiner. Applicant respectfully traverses the rejections with respect to claims 1-50. Nonetheless, in an effort to expedite the prosecution of the application, Applicant has amended independent claims 1, 15, 22, 24, and 41 to more fully distinguish over the prior art of record. In addition, various amendments to their associated dependent claims have been entered for clarification and/or consistency.

Independent claim 1 includes a number of limitations that are not shown or suggested by the prior art of record, taken either individually or in combination. For instance, independent claim 1 recites generating a license string "by encoding at least one of: (i) information associated with the product; and (ii) information associated with the request." The prior art of record fails to teach or suggest "encoding at least one of: (i) information associated with the product; and (ii) information associated with the request," as currently claimed. While REALAUDIO (RealAudio Server – Ordering Information, http://www.realaudio.com) makes reference to an encrypted license string, this reference does not show or suggest the claimed operation of generating a

license string "by encoding at least one of: (i) information associated with the product; and (ii) information associated with the request."

Also, independent claim 1 recites "generating, substantially at the time the request is received, a license string that controls access to the product." Applicant's review of the prior art of record did not identify any teaching directed to the claimed operation of generating a license string "substantially at the time the request is received."

In view of the foregoing, it is respectfully submitted that independent claim 1 defines subject matter that is not shown or suggested by the prior art of record. Therefore, independent claim 1 and its dependent claims 2-14 and 21 should be in a condition for allowance.

With respect to dependent claim 7, Applicant respectfully disagrees with the Examiner's well-known statement regarding the claimed "license string being encoded as an upper case alphanumeric string excluding capital O, capital I, and numbers 0 and 1" and requests that the Examiner provide evidence to support this statement should the rejection be maintained.

With respect to dependent claim 8, the prior art of record fails to show or suggest the claimed cryptographic process that "generates the license string by encoding at least one of: a date of creation of the product; a version of the product; and a date of the request."

Independent claims 15 and 22 and their dependent claims 16-20 and 23 include limitations of the type discussed in connection with independent claim 1. Therefore, independent claims 15 and 22 and their dependent claims 16-20 and 23 should also be in a condition for allowance.

Independent claim 24 also includes a number of limitations that are not shown or suggested by the prior art of record, taken either individually or in combination. For instance, independent claim 24 recites "forming a license string that enables access to the information pertaining to the at least one project, the license string including license information and validation information." The prior art of record fails to teach or suggest the operation of forming a license string "including license information and validation information," as currently claimed. While REALAUDIO makes reference to an encrypted license string, this reference does not show or suggest the claimed operation of forming a license string "including license information and validation information."

In view of the foregoing, it is respectfully submitted that independent claim 24 defines subject matter that is not shown or suggested by the prior art of record. Therefore, independent claim 24 and its dependent claims 25-40 and 50 should also be in a condition for allowance.

With respect to dependent claim 30, Applicant respectfully disagrees with the Examiner's well-known statement regarding the claimed cryptographic process that "encodes the license string as an upper case alphanumeric string excluding capital O, capital I, and numbers 0 and 1" and requests that the Examiner provide evidence to support this statement should the rejection be maintained.

With respect to dependent claim 31, the prior art of record fails to show or suggest the claimed cryptographic process that "forms the license string by encoding: a date of creation of the license string; a number of users enabled by the license string; and a type of license string created." REALAUDIO makes reference to an encrypted license string but does not show or suggest the claimed cryptographic process that "forms the license string by encoding: a date of creation of the license string; a number of users enabled by the license string; and a type of license string created."

With respect to dependent claim 33, the prior art of record does not show or suggest the claimed license string that "is formed substantially at the time the request is received."

Independent claim 41 and its dependent claims 42-49 include limitations of the type discussed in connection with independent claim 24. Therefore, independent claim 41 and its dependent claims 42-49 should also be in a condition for allowance.
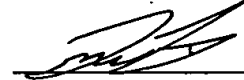
With respect to dependent claim 44, the prior art of record does not show or suggest the claimed license string that "is formed substantially at the time the request is received."

In sum, all of the independent claims and their associated dependent claims should now be in a condition for allowance, which is respectfully solicited. If the Examiner believes that any of the claims are not in a condition for allowance, the Examiner is encouraged to contact the undersigned to resolve any outstanding issues.

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